



Joint Cabinet Commission- Restoration of the River Wye

Terms of Reference

Aim

To develop a strategic plan to restore the River Wye Catchment to favorable conservation status.

Background

Following the ministerial decision not to proceed with a request for a Water Protection zone, the four Councils agree that there is an urgent need to consider what more can be done – and by whom. The Councils have concluded a Joint Cabinet Commission should undertake a more strategic and systems review of river quality. This would consider, in particular, how Herefordshire, Powys, Monmouthshire and Forest of Dean Councils could accelerate progress in the restoration of the Wye.

Herefordshire Council has been undertaking a lead role in efforts to support the restoration of the Wye, developing the UK's first development Phosphate Calculator and delivering Integrated Wetlands. The Council has been a driver of improvement with regard to the operation of the Nutrient Management Board (NMB).

Powys Council, which covers the river Wye catchment from its source to the border, is a significant contributor to the NMB, also providing a national coordinating role in respect of the "Phosphate problem" in Wales. Both share a common desire to use science and sense to find practical lasting solutions, which will reverse the decline in the river environment.

Monmouthshire County Council has specifically noted water quality in its commitment to action on the climate and nature emergency, in recognition of the deterioration of the condition of key rivers within the county. There is a direct impact upon our communities on the lower Wye, with restrictions on development until solutions are implemented. The Council contributes to the Nutrient Management Board, and is keen to work collaboratively across administrative boundaries, sectors and communities to achieve lasting improvements.

Forest of Dean Council – Forest of Dean District Council borders the lower river Wye and has committed to work with relevant organisations - including the Nutrient Management Board - and with intensive poultry units to help deliver a nutrient neutrality approach to tackle pollution in the river. The Council also wants to develop new policies through its local plan to safeguard and restore ecosystem services - including water quality.

Natural England, the Environment Agency and Natural Resources Wales have also met and considered the remit and role of the Cabinet Commission. The agencies said that, in particular they would welcome the Commission's thoughts 1) a new Strategic high-level plan to restore the River Wye Catchment. 2) Governance arrangements for the Nutrient Management Board in order to drive a high-level strategy forward, its accountability structure, remit, membership and terms of reference. 3) What might need to happen more widely beyond the catchment in terms of recommendations and proposals on how national level policy could enable restoration? 4) An analysis of what restoration of the Wye might look like in terms of likely climate change effects, which may impact for example river temperature and food security.

Commission Membership

The Cabinet Commission will comprise three Commissioners, one Cabinet Member each from Herefordshire, Powys, Monmouthshire and Forest of Dean and would be chaired by the Deputy Leader of Herefordshire Council. The Commissioners will commission additional research and call for evidence necessary to support the delivery of the Commission's objectives.

Commissioners will liaise closely with the scrutiny function of their respective Councils and the Nutrient Management Board. The Cabinet Commission should provide a report to the March 2023 meeting of

Cabinet and such interim reports as are necessary. Given parallel work is taking place nationally on point source pollution from water companies this aspect is explicitly excluded from the remit of the commission.

The Cabinet Commission's Objectives

1. The Nutrient Management Plan and Board

- To prepare a new Strategic high level plan to restore the River Wye Catchment for the Nutrient Management Board to progress.
- The Governance arrangements needed to drive the new high-level strategy forward, its accountability structure, remit, membership and terms of reference.

2. Farming and Agriculture

- To identify the evidence, tools, processes, infrastructure, training and support necessary to achieve restoration of the River Wye catchment. (Currently defined as achieving Natural England and Natural Resources Wales river phosphate targets and also achieving favorable conservation condition status).
- To work with sector leads from the Farming and Agricultural sector, in particular NFU, CLA and Farm Herefordshire to develop a catchment specific roadmap with agreed milestones and dates on which progress will be monitored. In the event that it becomes evident that agreed milestones are not achieved, further measures including a Water Protection Zone will formally be considered.

3. The Farming and Agriculture Supply Chain

- Engage with leading industry experts across the supply chain including agriculturalists, agronomists, feed suppliers, food processors and retailers. To undertake a systemic and strategic review of the movement of phosphates through poultry, livestock and arable supply chains, and to identify the optimum infrastructure and technology needed to reduce the build-up of phosphates in soils and water courses, exploring appropriate available technological and nature based solutions.
- To explore the potential for a certification scheme to track and assure the movement of phosphates throughout producer supply chains.

4. The National Policy Framework

- To make recommendations on what, if any, changes should be made to permitting processes or regulatory powers and enforcement for statutory bodies operating in England and in Wales to improve the effectiveness of individual and joint working. Specifically this will include an analysis of the effectiveness of key diffuse mitigation tools such as Farming Rules for Water and Farmscoper.
- An analysis of what restoration of the Wye might look like in terms of likely climate change effects which may impact for example river temperature and food security.

5. The Local Planning Frameworks

- Within the limits, constraints and wider objectives of the current planning policy framework, to identify what further opportunities exist for the Councils to deliver improved water quality on the Wye catchment. Consideration should include the potential to achieve full nutrient neutrality through the development of the planning policy framework together with any necessary additional Supplementary Planning Documents. In particular, how the forthcoming Local Plan update can strengthen water and environmental protection.
- Review the opportunities available for Planning Education and Enforcement of planning across all relevant development sectors. Consideration of whether there is the potential for planning and enforcement regimes to achieve higher levels of nutrient certainty in controlling down-stream impacts.
- To identify the tools and mechanisms necessary for Cumulative Development Impact to be assessed in the development management process.